

**AFTER FINAL
PATENT**

Practitioner's Docket No.: 790_019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Henri-Charles DEBORDE, Vincent BREGEON, Max MERMET and Nicolas BERNARD

Serial No.: 10/685,850 Group Art Unit: 3618

Filed: October 15, 2003 Examiner: Frank B. Vanaman

Conf. No.: 8438

For: GLIDING BOARD

**CERTIFICATION OF EFS
TRANSMISSION**

I hereby certify that this paper is being transmitted via EFS to the Patent and Trademark Office on January 17, 2007.

Tara L. Preston

Tara L. Preston

REQUEST FOR RECONSIDERATION

Sir:

In response to the Final Office Action mailed October 24, 2006, Applicants respectfully request reconsideration and withdrawal of the rejections of record based on the following arguments. Claims 1 and 4-6 are pending.

1. Claims 1, 5 and 6 were rejected under §102(b) over Fagot. This rejection is respectfully traversed.

Claim 1 recites a gliding board comprising a gliding surface that terminates in at least one raised end. The end begins at a low point along the gliding surface and extends to a highest point. The end has a peripheral zone and a central zone, the peripheral zone extending from sides of the end toward the central zone of the end.

The peripheral zone has a thickness which is less than a thickness of the central zone of the end and is connected to the central zone by a discontinuity that forms an inflection. A vertex of the discontinuity extends to a highest point of the discontinuity along the end at a point substantially along the center longitudinal axis of the gliding board.

The raised front end, forming the tip of the gliding board, allows the gliding board to pass over obstacles along a run (specification, page 1, lines 10-13). When the gliding board is held against a flat surface (e.g., flat ground), the raised end can experience numerous impacts, for example, when standing in line for ski lifts (specification, page 1, lines 15-18). This particular deformation can create very large mechanical stresses known to result in cracking in a protective upper layer of the gliding board that generally occurs close to the end of the metal edge, the end of the metal edge being located in the raised end adjacent to the gliding surface (specification, page 1, lines 18-20 and page 2, lines 2-5).

The present invention solves this problem by greatly reducing the thickness of the raised end in a peripheral zone close to the side of the board (specification, page 3, lines 11 and 12). Accordingly, with the reduced thickness, the protective upper layer of the board experiences reduced stresses in the peripheral zone when the raised end is deflected such that the cracking is reduced or eliminated. However, since the overall rigidity of the raised end must be maintained for proper functioning and durability of the gliding board, a central zone having an increased thickness is added to the gliding board such that it extends into the raised end of the gliding board (specification, page 3, lines 16-20). Applicants respectfully submit that without the increased thickness of the central zone extending into the raised end, the reduced thickness of the peripheral zone would result in insufficient rigidity.

The Examiner is respectfully requested to note that the discontinuity formed between the central zone and the peripheral zone is such that the thickness of the tip in the central zone is much greater than the thickness of the tip in the peripheral zone (specification, page 4, lines 32-35). The term “discontinuity” is intended to mean that there is substantial difference in thickness between the central zone and the peripheral zone (specification, page 4, lines 35-38). As can easily be seen in Figs. 1 and 2 of the present application, the discontinuity 7 is distinct throughout its length extending across the raised end 2.

Fagot fails to disclose or suggest the gliding board as recited in claim 1, for at least the following reasons. First, as shown in Fig. 22 of Fagot, the alleged central zone 22 does not extend into the raised end forming the tip of the gliding board. It is commonly known, and even defined by the International Technical Standards, that the tip (raised end) of the ski is the raised part which begins after a line called the “front contact line,” where the gliding surface of the board is raised from contact with a horizontal plane while the front contact line is in contact with the horizontal plane. With respect to Fig. 22, the alleged central zone 22 terminates at the beginning of the raised end. In other words, the alleged central zone 22 is not present in the raised end of Fagot.

Second, Fagot discloses in Fig. 22, that there is no discontinuity between the alleged central zone 22 and the alleged peripheral zone 4 at the highest point of the alleged central zone 22. At its highest point, the alleged central zone 22 and the alleged peripheral zone 4 smoothly transition into one another without a discontinuity. Furthermore, as shown in Fig. 22, the thickness of the alleged central zone 22 goes to zero at a very low slope at the vertex of the alleged central zone 22. Accordingly, there is no vertex having a discontinuity at the highest point of the alleged central zone 22.

Third, Applicants respectfully submit that the alleged central zone 22 and the alleged peripheral zone 4 of Fagot, as disclosed in Figs. 22-31, fail to achieve the beneficial features and advantages of the present invention recited in claim 1. As discussed in further detail above, the alleged central zone 22 of Fagot does not extend into the raised end of the gliding board. As such, one of the following two options regarding the design of Fagot must be true. First (most likely), the thickness of the gliding board in the raised end is of a traditional thickness offering the expected level of rigidity, because the alleged central zone 22 of Fagot does not augment the rigidity of the raised end in any manner. Accordingly, a gliding board made according to this first assumption would result in the cracking problems associated with the prior art, as discussed above. Second, if the raised end of the gliding board shown in Fig. 22 of Fagot is of a reduced thickness to prevent cracking in the upper protective layers, the raised end would not be of sufficient rigidity since the alleged central zone 22 of Fagot does not extend into the raised end of the gliding board to provide additional rigidity.

For at least the foregoing reasons, Fagot fails to disclose or suggest a gliding board comprising a gliding surface that terminates in at least one raised end, the end beginning at a low point along the gliding surface and extending to a highest point, and having a peripheral zone and a central zone, as recited in claim 1. Further, Fagot fails to disclose or suggest a peripheral zone being connected to the central zone by a discontinuity that forms an inflection, a vertex of the discontinuity extending to a highest point of the discontinuity along the end at a point substantially along a center of longitudinal axis of the gliding board, as recited in claim 1. Since claims 5 and 6 depend directly from claim 1, those claims are also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

2. Claim 4 was rejected under §103(a) over Fagot in view of Emig. Emig, used by the Examiner only for alleged disclosure of edges, fails to overcome the deficiencies of Fagot as attempted to be applied to claim 1, from which claim 4 depends. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

January 17, 2007

Date

Timothy D. Evans
Stephen P. Burr
Reg. No. 32,970

Timothy D. Evans
Reg. No. 50,797

SPB/TE/tlp

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320